

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

HORACE W. CRUMP, JR.,

Plaintiff(s),

CASE NUMBER: 09-14323

HONORABLE VICTORIA A. ROBERTS

v.

AMY BEST, *et al.*,

Defendant(s).

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ORDER

On November 3, 2009, Plaintiff filed a Complaint for violation of: (1) his First, Eighth, and Fourteenth Amendment rights; (2) the Religious Land Use and Institutionalized Persons Act of 2000, 42 U.S.C. §2000cc; and (3) numerous state tort laws.

On November 18, 2009, Plaintiff filed a “Motion for a Preliminary Injunction and Temporary Restraining Order.” (Doc. #3).

On February 4, 2010, Magistrate Judge Virginia M. Morgan filed a “Report and Recommendation Denying Plaintiff’s Motion for a Preliminary Injunction and a Temporary Restraining Order.” (Doc. #31).

Before the Court are Plaintiff’s “Objections to Magistrate Morgan’s Report and Recommendation Denying Plaintiff’s Motion for a Preliminary Injunction and a Temporary Restraining Order.” (Doc. #38). Plaintiff says:

WHEREFORE, Plaintiff prays that this Honorable Court will find that – **although this issue is now moot** due to the retaliatory transfer to harsher conditions for his exercising his Constitutional rights – a

preliminary injunction or temporary restraining order was in order considering the totality of the circumstances and all that he endured before and after the filing of his complaint, request and motion.

Plaintiff's objections, p.14 (emphasis added).

The Court **ADOPTS** the Magistrate Judge's Report and Recommendation, but for different reasons. Plaintiff's motion is **DENIED AS MOOT**.

However, prison officials are reminded that while they must not compromise the custody and security of the facility, they cannot abuse their authority; deny prisoners access to the courts; engage in retaliatory acts; or prohibit prisoners from practicing their religion.

**IT IS ORDERED.**

s/Victoria A. Roberts  
Victoria A. Roberts  
United States District Judge

Dated: March 12, 2010

The undersigned certifies that a copy of this document was served on the attorneys of record and Horace W. Crump, Jr. by electronic means or U.S. Mail on March 12, 2010.

s/Linda Vertriest  
Deputy Clerk